HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION No. 2547 (SS) of 2001

(Old No. 11539/1995)

Chandra Sen,
S/o Sri Lekhraj,
R/o Village Kannauji,
Post Office Sultanpur,
Patti, District-Nainital. .....Petitioners.

Versus

1. The State of Uttar Pradesh .
2. The Executive Engineer, Tubewell Construction Division, Haldwani, District-Nainital.
3. The Chief Secretary, Government of U.P., Lucknow.
4. The Engineer-in-Chief Irrigation Department, (Tubewell Cell), U.P. Lucknow.
5. The Superintending Engineer, Tubewell Mandal, Bareilly.

.....Respondents.

Dated: 29.08.2006

Hon'ble Rajesh Tandon, J.

Heard Sri P.C. Jhingan, Advocate for the petitioner, Standing Counsel for the State of Uttaranchal and Standing Counsel for the State of U.P.

2. By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order of termination dated 27th November, 1989 passed by the Executive Engineer, Tubewell Construction Division, Haldwani, District Nainital.

3. Briefly stated, according to the petitioner, he was selected and appointed for the post of Part Time Tubewell Operator and he has completed two years nine months continuous service. However, the petitioner has been served with the order dated 24th November, 1984 terminating his services.

4. In paragraph 29 of the writ petition, it has been mentioned that the case is covered under the U.P. Industrial Disputes Act and there has been a violation of Selection 6-N of the U.P. Industrial Disputes Act. However, liberty is given to the petitioner to approach the Industrial Tribunal challenging the termination order.

5. In view of the above, writ petition lacks merit and is dismissed. No order as to costs.

(Rajesh Tandon,J.)

29.08.2006
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